

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q94695

Johannes Maria Franciscus Gerardus AERTS

Appln. No.: 10/595,589

Group Art Unit: 1614

Confirmation No.: 3136

Examiner: Unknown

Filed: April 28, 2006

For: DEOXYNOJIRIMYCIN ANALOGUES AND THEIR USES AS
GLUCOSYLCERAMIDASE INHIBITORS

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

ATTN: Office of Initial Patent Examination
Filing Receipt Correction
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We enclose a copy of the Official Filing Receipt for the above-identified application and
request the following corrections:

Assignment for Published Patent Application Macrozyme B.V.

Power of Attorney

<u>John H. Mion Reg #18,879</u>	<u>Joseph J. Ruch, Jr., Reg #26,577</u>
<u>Sheldon I. landsman Reg #25,430</u>	<u>David J. Cushing Reg #28,703</u>
<u>Richard C. Turner Reg #29,710</u>	<u>Neil B. Siegel Reg #25,200</u>
<u>Howard L. Bernstein Reg #25,665</u>	<u>Peter D. Olexy Reg #24,513</u>
<u>Alan J. Kasper Reg #25,426</u>	<u>Darryl Mexic Reg #23,063</u>

Foreign Applications

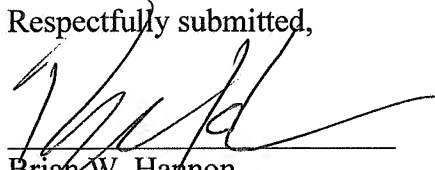
European Patent Office (EPO) ~~03078395.3~~ 03078395.5 10/29/2003

REQUEST FOR CORRECTED OFR
U.S. Appln. No.: 10/595,589

Attorney Docket No.: Q94695

Verification for the requested corrections is indicated on the Declaration and Power of Attorney and Assignment filed May 17, 2006.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Brian W. Hannon', is written over a horizontal line.

Brian W. Hannon
Registration No. 32,778

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: June 8, 2007

PATENT APPLICATION
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Docket No: Q94695

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LIST OF ATTORNEYS PURSUANT TO 37 C.F.R. § 1.32(c)(3)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

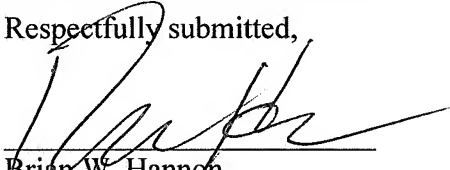
Sir:

Pursuant to 37 C.F.R. § 1.32(c)(3), please recognize the following ten or fewer registered patent attorneys or registered patent agents named on the Declaration and Power of Attorney executed by the inventors on April 28, 2006 as being of record in the above identified Application or Patent.

John H. Mion Reg #18,879	Joseph J. Ruch, Jr., Reg #26,577
Sheldon I. landsman Reg #25,430	David J. Cushing Reg #28,703
Richard C. Turner Reg #29,710	Neil B. Siegel Reg #25,200
Howard L. Bernstein Reg #25,665	Peter D. Olexy Reg #24,513
Alan J. Kasper Reg #25,426	Darryl Mexic Reg #23,063

The above identified attorneys are also associated with Customer Number 23373.

Respectfully submitted,


Brian W. Hannon
Registration No. 32,778

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
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WASHINGTON OFFICE
23373
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 Alexandria, Virginia 22313-1450
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/595,589	04/28/2006	1614	1030	Q94695	4	18	2

CONFIRMATION NO. 3136

23373
 SUGHRUE MION, PLLC
 2100 PENNSYLVANIA AVENUE, N.W.
 SUITE 800
 WASHINGTON, DC 20037

DOCKETED

DEC 14 2006

FILING RECEIPT



OC000000021538950

Date Mailed: 12/12/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Johannes Maria Franciscus Gerardus Aerts, Abcoude, NETHERLANDS;

ASSIGNMENT FOR PUBLISHED PATENT APPLICATION MACROZYME B.V.

Power of Attorney: None

John H. Mion Reg #18,879Joseph J. Ruch, Jr., Reg #26,577Sheldon I. landsman Reg #25,430David J. Cushing Reg #28,703Richard C. Turner Reg #29,710Neil B. Siegel Reg #25,200Howard L. Bernstein Reg #25,665Peter D. Olexy Reg #24,513Alan J. Kasper Reg #25,426Darryl Mexic Reg #23,063

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/NL04/00761 10/29/2004

Foreign Applications

EUROPEAN PATENT OFFICE (EPO) [03078395.3] 10/29/200303078395.5

If Required, Foreign Filing License Granted: 12/08/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/595,589**

Projected Publication Date: 03/22/2007

Non-Publication Request: No

Early Publication Request: No

Title

Deoxynojirimycin analogues and their uses as glucosylceramidase inhibitors

Preliminary Class

514

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL DESIGN, NATIONAL STAGE OF PCT OR CIP APPLICATION)

As a below named inventor, I hereby declare that

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Deoxynojirimycin analogues or pharmaceutically acceptable salts thereof and their uses

the specification of which: (complete (a), (b) or (c) for type of application)

REGULAR OR DESIGN APPLICATION

- a. ☐ is attached hereto.
b. ☐ was filed on _____ as Application
Serial No. _____ and was amended on _____
(if applicable)

PCT FILED APPLICATION ENTERING NATIONAL STAGE

- c. ☒ was described and claimed in International application No. PCT/NL2004/000761
filed on 29 October 2004
and as amended on _____ (if any)

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, paragraph 1.56(a).

In compliance with this duty there is attached an information disclosure statement 37 CFR 1.97

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code paragraph 119 of any foreign application (s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent of inventor's certificate having a filing date before that of the application on which priority is claimed.

(complete (d) or (e))

- d. ☐ no such applications have been filed
 e. ☒ such applications have been filed as follows

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
 (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION**

Country	Application Number	Date of filing (day, month, year)	Date of Issue (day, month, year)	Priority claimed
Europe	03078395.5	29 October 2003		Yes

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
 (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION**

CONTINUATION-IN-PART

(Complete this part only if this is a continuation-in-part application)

I hereby declare claim the benefit under Title 35, United States code, paragraph 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claim of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, paragraph 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, paragraph 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) (Filing date) (Status) (patented, pending, abandoned)

(Application Serial No.) (Filing date) (Status) (patented, pending, abandoned)

POWER OF ATTORNEY

I hereby appoint John H. Mion, Reg 18,879, Donald E. Zinn, Reg. No. 19,046, Thomas J. Macpeak, Reg. No. 19,292, Robert J. Seas, Jr., Reg. No. 21,092, Darryl Mexic, Reg. No. 23,063, Robert V. Sloan, Reg. No. 22,775, Peter D. Olexy, Reg. No. 24,513, J. Frank Osha, Reg. No. 24,625, Waddell A. Biggart, Reg. No. 24,861, Robert G. McMorrow, Reg. No. 19,093, Louis Gubinsky, Reg. No. 24,835, Neil B. Siegel, Reg. No. 25,200, David J. Cushing, Reg. No. 28,703, John R. Inge, Reg. No. 26,916, Joseph J. Ruch, Jr., Reg. No. 26,577, Sheldon I. Landsman, Reg. No. 25,430, Richard C. Turner, Reg. No. 29,710, Howard L. Bernstein, Reg. No. 25,665, and Alan J. Kasper, Reg. No. 25,426, my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and request that all correspondence about the application be addressed to SUGHRUE, MION, ZINN, MACPEAK & SEAS, 2100 Pennsylvania Avenue, N.W., Washington, D.C. 20037-3202

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: **AERTS, Johannes Maria Franciscus Gerardus**

Inventor's signature

Date

05/05/06

Country of Citizenship: The Netherlands

Residence: ABCOUDE, The Netherlands

Post Office Address: Sandbergstraat 3, NL-1391 EJ ABCOUDE, The Netherlands

CHECK PROPER BOX(ES) FOR ANY ADDED PAGE(S) FORMING A PART OF THIS DECLARATION

SOLE/JOINT INVENTION
(U.S. Rights only)**ASSIGNMENT**

WHEREAS, I/WE:

AERTS, Johannes Maria Franciscus Gerardusa citizen of
the Netherlandsresiding at
Sandbergstraat 3
NL-1391 EJ ABCOUDE
the Netherlands

as assignor(s), have made an invention entitled:

Deoxynojirimycin analogues or pharmaceutically acceptable salts thereof and their uses

for which I/we have:

- (a) filed an application for United States Letters Patent on
(Serial No.
- (b) executed an application for United States Letters Patent on
and
respectively; and

national phase of international application PCT/NL2004/000761

WHEREAS, MacroZyme B.V.

a corporation of the Netherlands

whose post office address is:

Meibergdreef 45
NL-1105 BA AMSTERDAM
the Netherlands

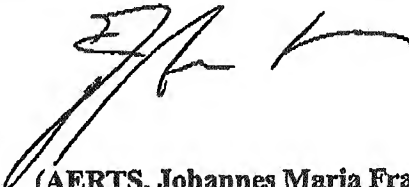
as assignee, is desirous of securing the entire right, title, and interest in and to the application for United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that, for good and valuable consideration the receipt of which from assignee is hereby acknowledged, I/we, as assignor(s), have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the assignee, its lawful successors and assigns, my/our entire right, title, and interest in and to this invention and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof; and I/we hereby authorize and request the Commissioner of Patents of the United States to issue all Letters Patent for this invention to assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, I/WE HEREBY further covenant and agree that I/we will, without further consideration, communicate with assignee, its successors and assigns, any facts known to me/us respecting this invention and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver all papers that may be necessary or desirable to perfect the title to this invention in said assignee, its successors and assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States, it being understood that any expense incident to the execution of such papers shall be borne by the assignee, its successors and assigns.

IN TESTIMONY WHEREOF, I/we have hereunto set my/our hand(s).

Witness:



(AERTS, Johannes Maria Franciscus Gerardus)

(Signature of first or sole assignor)

Date May 5, 2006

Witness:


D. van der Riet